IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 24TH JANUARY 2007 / 4TH MAGHA 1928

WP(C).No. 31456 of 2006(T)

PETITIONER:

M.JOHN JERAMIA,
T.C.11/772, Y.M.BHAVAN,
PLAMOODU, PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.AJITH KRISHNAN

RESPONDENTS:

---

1. STATE OF KERALA,
REP. BY SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT,
THIRUVANANTHAPURAM.

2. THE SECRETARY TO GOVERNMENT,
FINANCE DEPARTMENT,
GOVT. SECRETARIAT, THIRUVNANTHAPURAM.

3. THE CHIEF ENGINEER,
P.W.D.ROADS AND BRIDGES,
PUBLIC OFFICE, THIRUVANANTHAPURAM.

4. THE EXECUTIVE ENGINEER,
ROADS DIVISION, PMG,
THIRUVANANTHAPURAM.

5. THE ASSISTANT EXECUTIVE ENGINEER,
PWD ROADS SUB DIVISION,
NEYYATTINKARA, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True copy of the agreement and tender schedule No.AEE.112/2001-02, dated 4-12-2001.

Ext.P2: True copy of the request No.HCGC/05 dated 22-12-2006.

Ext.P3: True copy of the representation submitted by the petitioner before the 1st respondent dated 20-10-2006.

// True copy //

P.A. to Judge

jes

C.N.RAMACHANDRAN NAIR, J.

- -

W.P.(C)NO.31456 OF 2006

- -

Dated this the 24th day of January 2007

JUDGMENT

Heard counsel for the petitioner and the Government Pleader.

2. Eventhough work was completed by petitioner within the stipulated time, payment was not released. Since after verification nothing was found irregular, Vigilence and Anti Corruption Bureau accepted with the work done by the petitioner.

3. In the circumstances and since the amount involved is only around 81,000/-, writ petition is allowed directing Government to grant sanction to release the funds to the concerned department within one month from the date of production of a copy of this judgment for the said department to release the payment to petitioner, if petitioner is eligible, within two weeks thereafter. Eventhough Government Pleader pointed out under a Full Bench decision of this court payments to contractors have to be made based on priority, I direct respondents to release payment to petitioner as the amount was due from 2001 onwards and amount involved is only Rs.81,000/-.

Writ petition is disposed of as above.

C.N.RAMACHANDRAN NAIR, JUDGE

jes